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April 24, 2025

VIA ELECTRONIC FILING

Hon. Jeremiah J. McCarthy
United States Magistrate Judge
United States Courthouse
2 Niagara Square
Buffalo, NY 14202

Re: Tolbert v. Dusza et al.
19-CV-1691 (W.D.N.Y.)

Your Honor:

As you know, I am counsel-of-record for plaintiff Tolbert in this action. Per the Court's March 7, 2025 Text Order (ECF No. 208), I am writing to update the Court on the status of discovery. This letter is submitted on behalf of plaintiff only.

Plaintiff received defendants' responses to plaintiff's supplemental discovery demands which included materials additional to those already provided. However, Plaintiff contends that there exist responsive materials which were not provided and therefore desires to file a motion to compel discovery. Plaintiff also desires to re-file its prior motion for a renewed deposition (ECF Nos. 194 and 195, to be consolidated in a single motion) which was previously denied without prejudice per the Court's March 20, 2025 Text Order (ECF No. 214). Plaintiff therefore seeks an Order setting briefing schedules for both motions.

Thank you for your time and attention to this matter.

Respectfully submitted,



Daniel Coleman

cc: Joel J. Terragnoli, Esq.